

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MILDRED LACEN, et al.,

Plaintiffs,

-v.-

CITY OF NEW YORK, et al.,

Defendants.

21 Civ. 07371 (JHR)

ORDER

JENNIFER H. REARDEN, District Judge:

On June 14, 2023, the Court ordered Plaintiffs to show cause as to why Defendant New York Police Department¹ (“Defendant”) had not been served within the 90-day window allowed under Rule 4(m) of the Federal Rules of Civil Procedure. ECF No. 32. In that Order, the Court cautioned that, “[i]f Plaintiffs fail to file a letter by **June 22, 2023**, showing good cause why such service was not made within the 90 days, the Court may dismiss Defendant from this action without further notice.” *Id.* at 1. On June 21, 2023, Plaintiffs’ counsel filed a letter in response to the Court’s June 14 Order, reasoning that he had not effected service on Defendant because “[he] was under the impression that service on the New York City Law Department would suffice as they would be the attorneys representing the New York Police Department.” ECF No. 33.

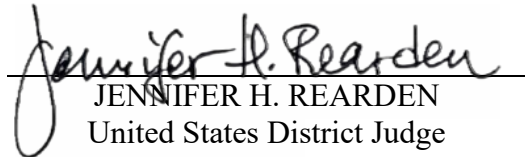
On June 30, 2023, the Court held a conference regarding the Order to Show Cause and Plaintiffs’ response thereto. *See* June 30, 2023 Minute Entry. For the reasons stated on the record at the June 30 conference, Plaintiffs have failed to show good cause for their failure to serve Defendant. Accordingly, the Court dismisses all claims against Defendant.

¹ Defendant’s name is spelled and formatted in the same manner as it appears on the docket.

The Clerk of Court is directed to terminate Defendant New York Police Department from this action.

SO ORDERED.

Dated: July 18, 2023
New York, New York


JENNIFER H. REARDEN
United States District Judge